

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

SHAWN T. GARRETT,

Plaintiff

v.

COMMISSIONER SOCIAL OF
SECURITY,

Defendant

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No. 3:16cv1139

(Judge Munley)

: (Magistrate Judge Arbuckle)

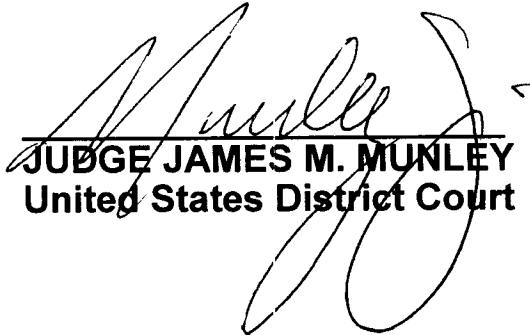
ORDER

AND NOW, to wit, this ~~4th~~^{10th} day of March 2019, we have before us for disposition Magistrate Judge William I. Arbuckle's report and recommendation, which proposes the dismissal of plaintiff's social security complaint. No objections to the report and recommendation have been filed, and the time for such filing has passed. Therefore, in deciding whether to adopt the report and recommendation, we must determine if a review of the record evidences plain error or manifest injustice. FED. R. CIV. P. 72(b) 1983 Advisory Committee Notes ("When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record to accept the recommendation"); see also 28 U.S.C. § 636(b)(1); Sullivan v. Cuyler, 723 F.2d 1077, 1085 (3d Cir. 1983).

After a careful review, we find neither a clear error on the face of the record nor a manifest injustice, and therefore, we shall adopt the report and recommendation. It is hereby **ORDERED** as follows:

- 1) The magistrate judge's report and recommendation (Doc. 14) is **ADOPTED**;
- 2) The decision of the Commissioner to deny the plaintiff social security benefits is **AFFIRMED**;
- 3) The plaintiff's complaint (Doc. 1) is **DISMISSED**;
- 4) The Clerk of Court is directed to enter judgment in favor of the Commissioner and against the plaintiff; and
- 5) The Clerk of Court is directed to close this case.

BY THE COURT:



JUDGE JAMES M. MUNLEY
United States District Court